

REMARKS

Claim 39 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 39 has been amended in a readily apparent manner to overcome this rejection. Withdrawal is respectfully requested.

Claims 39-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda et al. in view of Yamanaka et al. Applicants respectfully traverse this rejection because the Takeda et al. reference does not qualify as prior art under 35 U.S.C. § 103(c).

The Takeda et al. reference is a divisional of parent application No. 09/662,236 filed on September 14, 2000. The parent application was originally assigned to Fujitsu Limited, and subsequently assigned by Fujitsu Limited to Fujitsu Display Technologies Corporation on October 24, 2002 and recorded with the U.S. Patent and Trademark Office on December 18, 2002 in reel/frame 013552/0107.

The parent of the present application (Serial No. 09/662,236) was also originally assigned to Fujitsu Limited, then subsequently to Fujitsu Display Technologies Corporation on December 18, 2002 and recorded in the same reel/frame 013552/0107. Since the cited reference was developed by another person, and the reference and the claimed invention were assigned to the same person, § 103(c) is applicable in this case. Therefore, the Takeda et al. reference is disqualified as prior art against the claimed invention. Withdrawal of this rejection is respectfully requested.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. The Examiner should contact Applicants' undersigned attorney if a telephone conference would expedite prosecution.

Respectfully submitted,

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